

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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WA PING KWAN, derivatively on behalf of
ARRAY TECHNOLOGIES, INC. f/k/a ATI
INTERMEDIATE HOLDINGS, LLC,

Plaintiff,

vs.

JIM FUSARO, NIPUL PATEL, TROY ALSTEAD,
ORLANDO D. ASHFORD, RON P. CORIO,
BRAD FORTH, PETER JONNA, JASON LEE,
ATI INVESTMENT PARENT, LLC, OAKTREE
ATI INVESTORS, L.P., OAKTREE POWER
OPPORTUNITIES FUND IV, L.P., OAKTREE
POWER OPPORTUNITIES FUND IV
(PARALLEL), L.P., OAKTREE CAPITAL
GROUP HOLDINGS, L.P., OAKTREE CAPITAL
MANAGEMENT, L.P.,

Defendants

and

ARRAY TECHNOLOGIES, INC.,

Nominal Defendant.

Civil Action No. 1:21-cv-06127-SLC-VM
Master Case No. 1:21-cv-04390-SLC-VM

**~~PROPOSED~~ ORDER DECONSOLIDATING SHAREHOLDER DERIVATIVE
ACTION FROM RELATED SECURITIES CLASS ACTION**

Upon the joint request (the “Request”) of Derivative Plaintiff Wa Ping Kwan (“Kwan”), Nominal Defendant Array Technologies, Inc., f/k/a ATI Intermediate Holdings, LLC (“Array”), Defendants ATI Investment Parent, LLC, Jim Fusaro, Nipul Patel, Troy Alstead, Orlando D. Ashford, Ron P. Corio, Brad Forth, Peter Jonna, Jason Lee, Oaktree ATI Investors, L.P., Oaktree Power Opportunities Fund IV, L.P., Oaktree Power Opportunities Fund IV (Parallel), L.P., Oaktree Capital Group Holdings, L.P., and Oaktree Capital Management, L.P. (the

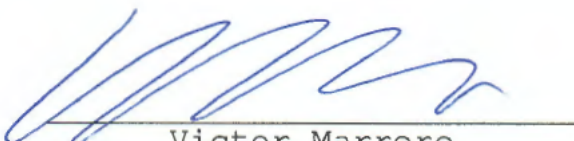
“Defendants”) to deconsolidate the above-referenced shareholder derivative action, *Kwan v. Fusaro, et. al*, Case No. 1:21-cv-06127-SLC-VM (S.D.N.Y.) (the “*Kwan Derivative Action*”), from a related securities class action before the Court, *Plymouth County Retirement Association v. Array Technologies, Inc., et al.*, Case No. 1:21-cv-04390-SLC-VM (S.D.N.Y.) (the “*Plymouth County Class Action*”); and this Court having determined that the legal and factual bases set forth in the Request establish just cause for the relief granted herein; and after due deliberation thereon; and good and sufficient cause appearing therefor, it is HEREBY ORDERED THAT:

1. The *Kwan Derivative Action*, captioned *Kwan v. Fusaro, et. al*, Case No. 1:21-cv-06127-SLC-VM, is hereby deconsolidated from the *Plymouth County Class Action*, captioned *Plymouth County Retirement Association v. Array Technologies, Inc., et al.*, Case No. 1:21-cv-04390-SLC-VM.

2. The *Kwan Derivative Action*, captioned *Kwan v. Fusaro, et. al*, No. 1:21-cv-06127-SLC-VM, is hereby reopened as an active matter before the Court.

3. The *Kwan Derivative Action* shall be marked as related to the *Plymouth County Class Action*.

IT IS SO ORDERED.



 Victor Marrero
 U.S.D.J.

Dated: August 16, 2021